

VILLAGE OF BABYLON

INSTRUCTIONS FOR FILING AN APPLICATION FOR ZONING BOARD OF APPEALS

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GENERAL FILING REQUIREMENTS:

APPLICATION MUST BE COMPLETED, SIGNED, AND NOTARIZED TO BE ACCEPTED AND THE FOLLOWING IS TO BE SUBMITTED WITH THE APPLICATION:

1. BUILDING DEPARTMENT DENIAL FORM AND/OR PLANNING BOARD DECISION LETTER, if applicable.
2. PROFESSIONAL DRAWING OF LAY-OUT for pre-existing structures or proposed structures (i.e. pool, accessory building.)
3. PLANS - three (3) sets of professionally prepared plans with site plan for proposed construction of any kind (prepared by a draftsman or architect.) If they are prepared by an architect they do need not be sealed plans.

*** PLEASE NOTE ***

THE HEIGHT ELEVATION, FROM EITHER THE TOP OF THE CURB OR THE CROWN OF THE ROAD, MUST BE NOTED ON THE PLANS.

IF THE PROPERTY IS IN A FEMA FLOOD ZONE, THE FLOOD ZONE MUST BE NOTED ON THE PLANS AND THE RIDGE HEIGHT IS TO BE NOTED FROM THE FEMA BASE FLOOD ELEVATION + 2 FT. FREEBOARD (NEW YORK STATE BUILDING CODE.)

4. SURVEY - three (3) copies of a current survey. ALL DIMENSIONS ARE NECESSARY (proposed changes and/or pre-existing conditions are to be drawn on one survey to show location.)
5. DEED - copy of deed for the property must be submitted.
6. FEE - to be submitted with application based on property zoning:

Residential and Residential O Zone	\$ 100.00
Marine Commercial Zone	250.00
Retail Commercial & Industrial Zone	250.00
Multi-Family District Zone	250.00

A request for relief to develop a substandard parcel requires a "single and separate" title search, and depending upon the result, a request to the Planning Board for a recommendation may be necessary. (See Babylon Village Code, Chapter 365-47)

To request a waiver under Rule 13, the application must be limited to relief for special use in the Retail Business District in an existing building.

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ADDITIONAL INFORMATION AND FILING REQUIREMENTS:

1. Applications seeking to renew a previously granted variance or special permission shall be filed together with the information required under the General Filing Requirements and any other information that supports the continuance of the variance or special permission. An application that is limited to a request for special permission under Village Code § 365-20 (3) (Special uses in a retail business district) in an existing building, may be eligible for summary determination under Rule 13.
2. If, in the sole judgment of the Board, the required drawings and/or any other required information filed is inadequate or incomplete, the application may be deferred to a later scheduled Board meeting.
2. **UNLESS WAIVED UNDER RULE 13, THE APPLICANT MUST NOTIFY PROPERTY OWNERS WITHIN 200 FEET OF THE SUBJECT PARCEL AND POST A ZBA SIGN OR SIGNS ON THE APPLICANT'S PROPERTY AT LEAST 15 DAYS PRIOR TO THE MEETING.** The Village Clerk's Office will supply the applicant with a list and labels of the surrounding property owners, the Legal Notice to be sent, and the ZBA sign(s). Approximately four weeks prior to the hearing, the applicant will receive a call from the Village Clerk's Office notifying them when the mailing information and signs are ready to be picked up. You will then receive instructions on how to proceed. When you pick up your mailing packet, a \$50.00 deposit will be due for each sign that is to be posted on your property. The initial cost of each sign of each sign will be \$50.00, with a 50% refund. This refund will be mailed to the applicant within one month upon return of the sign and sign voucher.
3. Schedule of Board Hearings: The Board of Appeals meets on the third Wednesday of the month at 7:30 p.m. in Babylon Village Hall, 153 West Main Street, Babylon, New York, unless . The Board does not meet during the month of August.
4. Maximum Number of Applications: To provide the Board sufficient time to fully explore each application, the number of applications to be heard at each monthly meeting shall be limited to the Board's discretion. The only exception to this limit is applications for renewals of previously granted use variances. The Board may decide, at its sole discretion, to hear such renewal applications in addition to new applications for variances.

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APPLICATION TO THE ZONING BOARD OF APPEALS

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COUNTY OF SUFFOLK

SS:

STATE OF NEW YORK

_____ being duly sworn,
deposes and says that he (or) she is _____ of the property described
below. Owner or Agent of owner

That all statements made in this application are true to the best of his (or) her knowledge and belief, except as to the matters therein stated to be alleged on information and belief and as to the matters he (or) she believes the same to be true. He (or) she understands the requirements of this application with regards to the submittal of plot plans, other drawings and the posting of public notices.

.....
.....

Sworn before me this

..... Day of, 20.....

.....
Notary Public, Suffolk County

In the Matter of the Application of:

Owner of Property if Other Than Applicant

Applicant's Name: Name:

Address: Address:

.....

.....

Telephone No: Alternate Telephone No:

Property Address or Description of Location:

.....

FOR VILLAGE CLERK ONLY:

Zoned: _____ Section _____ Block _____ Lot _____

For Plans Examiner Only:

Plans Reviewed _____ No Variance Required _____ Variance Required _____ (see attached
(date) comments)

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APPLICATION TO THE BOARD OF APPEALS

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Description of relief sought, attach separate sheet if necessary:

*** PLEASE NOTE ***

Variances required will be included whether or not listed above, as deemed necessary, and as determined by the Site Plans Examiner and the Zoning Board of Appeals, after review of the plans submitted with this application. The legal notice for this application will be derived based on the plans submitted.

1. Has a building permit been refused by Building Inspector?
2. Is there a school, house of worship, or hospital within 500 ft. of this premises?
3. Approximate cost of work this application is made for?\$
4. Is this premises with 500 feet of (Answer Yes or No):

. Boundary of any Village or Town

. Boundary of any existing or proposed County, State, or Federal park.

. The right of way of any existing or proposed County or State parkway,
thruway, expressway, road or highway.

. The existing or proposed right of way of any stream or drainage
Channel owned by the County or for which the County has established
Channel lines.

. The existing or proposed boundary of any other County, State or
Federal owned land.

. The Atlantic Ocean, Long Island Sound, any bay in Suffolk County,
Or estuary of any of the foregoing bodies of water.

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5. Answer yes or no to determine whether the application qualified for summary determination pursuant to Rule 13.

..... Is the property in a retail business district.

..... Is the relief requested limited to a request for special permission of a use.

..... Is the building an existing building with an existing certificate of occupancy.

If you answered YES to all the questions in item 5 you may qualify for summary determination and expedited processing of your application under Rule 13. To request a summary determination you must complete the "Building Department Referral Form for Determination of Eligibility for Summary Determination."

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PROPERTY OWNER'S ENDORSEMENT

(to be completed if the applicant/business owner is not the property owner)

COUNTY OF SUFFOLK

SS:

STATE OF NEW YORK

_____being duly sworn,
deposes and says that (s)he resides at _____ in
the County of _____, and State of _____, and that (s)he in the
owner in fee or _____ of the _____
Corporation, which is the owner in fee of the premises described in the foregoing application to
the Zoning Board of Appeals and that (s)he has authorized
_____ to make the foregoing application and/or represent
the owner at the Zoning Board of Appeals hearing.

.....
.....

Sworn before me this

..... Day of,20.....

.....
Notary Public, Suffolk County